

REMARKS

In response to the Restriction Requirement mailed on April 6, 2007, Applicant herein elects the invention of Figures 1-5 for examination, with traverse.

The fiber optic fluid probe of the present invention has a unique construction in which several common component parts of the probe can be employed in the constructions of several different types of fiber optic probes that are employed in various different types of fluid testing facilities. The novel construction of the probe of the invention enables the use of several of the same component parts in the constructions of each of the different probe embodiments. The use of the same component parts in the constructions of each of the different probes results in reductions in manufacturing costs due to the reduced inventory of parts required to manufacture the different probe types. The novel construction of the probe of the invention enables slight modifications to the probe that adapt each probe embodiment for use in a different type of environment and adapt each probe embodiment for use in performing different types of fiber optic testing procedures. In the embodiments disclosed in the application, the novel probe construction is used as an attenuated total reflectance fiber optic probe, a light transmission fiber optic probe, and a light fluorescence fiber optic probe. Because the component parts of the invention are employed in the constructions of each of these embodiments of the fiber optic probe, it is requested that the Restriction Requirement be withdrawn and that the invention of Figures 1-14 be examined on its merits.

Claims 1-14, 18-31, and 34-36 all recite subject matter of the invention that is found in the elected embodiment of Figures 1-5.

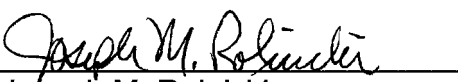
In view of the above, the invention of Figures 1-5, and claims 1-14, 18-31, and 34-36 are clearly identified as the invention elected under 35 U.S.C. § 121.

It is noted that the Restriction Requirement requires that all non-elected claims be cancelled. However, this is not required by 37 C.F.R. § 1.142(b) which states that "claims to the invention or inventions not elected, if not cancelled, are withdrawn from further consideration by the Examiner by the election." However, these withdrawn claims are to be reinstated in the event the Restriction Requirement is withdrawn or overruled.

In view of the above, the response to the Restriction Requirement is complete, having elected the embodiment of Figures 1-5, and identifying claims 1-14, 18-31, and 34-36 that are directed to this embodiment.

Respectfully submitted,

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